

Submission Pursuant to 37 C.F.R. § 1.114(c)
Appl. No. 09/486,677
Group Art Unit: 1621

Remarks

The amendments and foregoing remarks are responsive to the issues remaining in the January 12, 2006 Examiner's Answer. Reconsideration is respectfully requested.

Status of the Claims

Claims 10, 15 and 23 are amended. Claims 1-9, 11-13 and 27-29 were cancelled previously. Claims 10, 14-26 and 30 are pending.

Support for Amendments to the Claims

Support for the amendments are found throughout the specification, and particularly on page 1, lines 20-23, page 4, lines 9-11, and in the Examples on page 6, lines 24-25, and page 7, lines 2-3. No new matter is added.

Rejection under 35 U.S.C. § 103(a)

In the Answer, the Examiner maintained the rejection of Claims 10, 14-26 and 30 under 35 U.S.C. § 103(a) as being obvious over JP 7-303825 (JP '825) for reasons of record. Claims 10, 15 and 23 (from which Claims 14, 16-22, and 24-26 and 30 depend, respectively) are amended to clarify the invention.

Although JP '825 arguably discloses what the Examiner has alleged with regard to the ranges of EO and PO moles, Applicants assert that there is no teaching, suggestion or motivation provided by JP '825 to (1) select the average number of EO units present in each random fatty alcohol alkoxylate to have a value of from about 3 to about 5, and (2) select the average number of PO units present in each random fatty alcohol alkoxylate to have a value of from about 2 to about 2.5. Moreover, there is no teaching, suggestion or motivation to achieve a cold cloud point below 0°C as claimed. In addition, none of the Examples of JP '825 exemplify a cold cloud point.

The disclosure of JP '825 thus fails to teach, suggest or provide motivation, to one skilled in the art at the time of the invention, to reach a cold cloud point as claimed

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with any reasonable expectation of success. The addition of U.S. Patent No. 4,731,378 (Naik) and U.S. Patent No. 4,999,041 (Grossman) fail to cure the deficiencies of JP '825. Therefore, in view of the lack of teaching, suggestion or motivation from JP '825, the rejection should be withdrawn. Reconsideration and withdrawal of the rejection are respectfully requested.

Fees

The requisite RCE fee is enclosed. No additional fees are believed due. The Commissioner is authorized, however, to charge (or credit any balance) any fees deemed due (or owing) to Deposit Account No. 50-1177.

Conclusion

It is respectfully submitted that Claims 10, 14-26 and 30 are in condition for allowance. A Notice of Allowance is respectfully requested. If anything further is needed to advance the allowance of this application, the Examiner is urged to contact Applicants' attorney at the telephone number indicated below.

Respectfully submitted,

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Date

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